

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

GLENN H. GORTON,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-07-1165-F
)	
C/O WILLIAMS,)	
)	
Defendant.)	

Report and Recommendation

The Plaintiff has requested entry of judgment for the failure to conduct an interview. As explained in Doc. 15, the order requiring a special report is triggered only by service on the Defendant. And as stated in a prior report, the Defendant's response to the complaint is not yet due. The same is true for the investigative report. Thus, if an interview were required,¹ it would not yet be due. In these circumstances, the Court should deny the Plaintiff's motion for judgment based on the failure to conduct an interview.

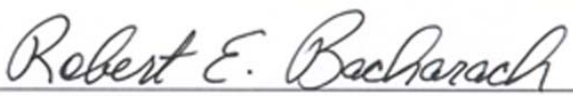
The parties have the right to object to this report and recommendation. *See* 28 U.S.C. § 636(b)(1) (2000); W.D. Okla. LCvR 72.1. Any such objection must be filed with the Court Clerk for the United States District Court. *See Haney v. Addison*, 175 F.3d 1217, 1219-20 (10th Cir. 1999). The deadline for objections is April 1, 2008. *See* W.D. Okla. LCvR 72.1. The failure to timely object to this report and recommendation would waive one's right to

¹ The present order does not address whether an interview is necessary for completion of the investigative report. *See* Doc. 10.

appellate review of the suggested ruling. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991).

This report and recommendation does not terminate the referral.

Entered this 11th day of March, 2008.



Robert E. Bacharach
United States Magistrate Judge